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Message Text

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ACTION EA-14

INFO OCT-01 ADP-00 L-03 PM-07 PRS-01 /026 W
---------- 070465
R 280944Z AUG 73
FM AMEMBASSY MANILA
TO COMNAVBASE SUBIC
INFO SECDEF
SECSTATE WASHDC 7637
NAVY JAG WASHDC
CHNAVPERS WASHDC
CINCPAC
CINCPACFLT

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XKMO. 11652: N/A
TAGS: MARR, RP
SUBJECT: EN2 ALIPIO P. REYES -AMENDMENT OF PAROLE CONDITIONS

REF: A. CHNAVPERS MSG DTG 241906Z AUG 73
B. COMNAVBASE MSG DTG 200948Z AUG 73

1. REFTEL A INDICATES THAT CONSIDERATION IS BEING GIVEN
TO DISCHARGE REYES PRIOR TO COMPLETION OF AMENDATORY ACTION
ON SUBJECT'S PAROLE BY GOP. IF SUCH ACTION TAKEN, IT
COULD PROVE EMBARRASSING TO USG. IN DISCUSSIONS AND
CORRESPONDENCE BY EMBASSY WITH ACTING SECRETARY
OF JUSTICE MACARAIG, IT WAS STRESSED
THAT PAROLE CONDITIONS NEEDED TO BE CHANGED IF U.S. NAVY
WAS TO KEEP REYES ON ACTIVE DUTY; IF NO AMENDMENT POSSIBLE,
THEN NAVY WOULD BE FORCED TO DISCHARGE HIM. THESE DISCUSSIONS
WERE HELD AT SUBIC'S REQUEST. BASED UPON THESE REPRESENTATIONS,
BOARD OF PAROLE IMMEDIATELY AMENDED THE CONDITIONS BY DELETING
REQUIREMENT FOR REYES TO REPORT TO JUDGE UNTIL 1975. HOWEVER,
DEPARTMENT OF JUSTICE DEEMED IT NECESSARY FOR IMMIGRATION DEPT
TO AMEND ITS NON-DEPORTATION DETERMINATION. THIS LATTER ACTION IS
NOW PENDING AND MACARAIG FORESEES NO PROBLEM EXCEPT THAT IT WILL
TAKE NORMAL BUREAUCRATIC TIME FOR PROCESSING. IT IS ANTICIPATED
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THIS WILL BE COMPLETED WITHIN THE NEXT WEEK OR SO.

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2. IF IT IS DEEMED NECESSARY TO DISCHARGE REYES BEFORE COMMISSIONER OF IMMIGRATION HAS ACTED, IT IS ESSENTIAL THAT EMBASSY BE NOTIFIED IN ADVANCE SO SITUATION CAN BE BROUGHT TO ATTENTION OF JUSTICE DEPT. OTHERWISE, GOP WOULD HAVE TAKEN ACTION OF EMBASSY REQUEST ONLY TO FIND THAT REYES DISCHARGED IN RP BUT WITHOUT ORIGINAL PAROLE CONDITIONS. JUSTICE DEPT WOULD TAKE A DIM VIEW OF SUCH RESULTS AND COULD JEOPARDIZE FUTURE REQUESTS OF SIMILAR NATURE.

3. EMBASSY STRONGLY RECOMMENDS THAT NO PRECIPITOUS ACTION BE TAKEN CONCERNING REYES, AND THAT WE ALLOW GOP REASONABLE BUREAUCRATIC TIME TO COMPLETE THEIR AMENDATORY ACTION.
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Message Attributes

Automatic Decaptioning: X
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Draft Date: 28 AUG 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
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Disposition Date: 28 MAY 2004
Disposition Event:
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Disposition Reason:
Disposition Remarks:
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Document Unique ID: 00
Drafter: n/a
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Executive Order: N/A
Errors: N/A
Film Number: n/a
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Handling Restrictions: n/a
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ISecure: 1
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Office: ACTION EA
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